

THE HONOURABLE SRI JUSTICE NARSING RAO NANDIKONDA

CRIMINAL PETITION No.6505 OF 2025

O R D E R:

This Criminal Petition is filed under Sections 480 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS') by the petitioner-accused No.1, seeking bail in Crime No.44 of 2025 of Gudimalkapur Police Station, Hyderabad, registered for the offences punishable under Sections 85 and 80 (2) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS').

2. Heard learned counsel for the petitioner and Mr.E.Ganesh, learned Assistant Public Prosecutor appearing for the respondent-State. Perused the record.

3. The case of the prosecution, in brief, is that the petitioner herein married the deceased on 25.08.2024 and it was a love marriage. Subsequent to the marriage, the petitioner herein and his parents demanded the deceased to bring dowry of Rs.10,00,000/-. The petitioner threatened the deceased to leave her if the said amount was not paid by her parents. The parents of the petitioner herein informed the deceased that the petitioner herein would

only live with her after her getting the dowry amount. Unable to bear such harassment, on 07.03.2025, the deceased committed suicide by hanging by writing a suicide note, in which, she stated that her husband, who is the petitioner herein and his family members are responsible for her death.

4. Learned counsel for the petitioner submits that the petitioner herein is innocent and he has been falsely implicated in the case. The petitioner herein never demanded the deceased to bring dowry of Rs.10,00,000/-. There are no specific allegations against the petitioner herein to show that he has abetted or instigated the deceased to commit suicide. He further submits that the petitioner herein is in judicial custody since 11.03.2025 and material part of the investigation is completed, except filing of charge sheet. Hence, he prayed to enlarge the petitioner on bail.

5. On the other hand, learned Assistant Public Prosecutor, on instructions, submits that during the course of investigation, as many as 21 witnesses were already examined and post-mortem examination report was

also received. As no incriminating material with regard to 85 of BNS was found during the course of investigation, the offence under Section 85 of BNS was deleted.

6. Considering the fact that the offence under Section 85 of BNS was deleted by the Police, that as many as 21 witnesses have already been examined and as the petitioner herein is in judicial custody since 11.03.2025, I hold that the petitioner herein is entitled to be enlarged on bail, subject to the following conditions:

- (i) The petitioner-accused No.1 shall be released on bail on executing a personal bond for a sum of Rs.50,000/-(Rupees fifty thousand only) with two sureties for a like sum each to the satisfaction of the Remand Court i.e., XVI Additional Chief Judicial Magistrate at Hyderabad. Upon furnishing such sureties, get the same verified by the learned Magistrate through concerned Police who shall file report within two days as to their genuineness and then issue the release order accordingly.
- (ii) After release, the petitioner-accused No.1 shall appear before the concerned S.H.O. at 11.00 a.m. on first and third Sunday of every month for a period of eight (8) weeks or till

filing of the charge sheet, whichever is earlier, for the purpose of investigation, and thereafter, as and when required.

(iii) After release, if the petitioner-accused No.1 indulges in any offence, the respondent-State is entitled to file an application seeking cancellation of the bail granted by this Court in his favour.

(iv) The petitioner-accused No.1 shall abide by the other conditions stipulated in Section 480(3) of BNSS and shall co-operate with the investigation.

7. Accordingly, this Criminal Petition is allowed.

Miscellaneous applications pending, if any, shall stand closed.

NANDIKONDA NARSING RAO, J

Date: 14.05.2025

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